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7 WILLIAM D. BAKER

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 SAN JOSE DIVISION

E-FILED - 10/6/05

12 IN RE NETOPIA, INC. SECURITIES
13 LITIGATION

CASE NO.: C 04-3364 RMW
And Related Cases

14 This Document Relates to:

16 All Actions

CLASS ACTION

STIPULATION AND [PROPOSED] ORDER EXTENDING TIME FOR DEFENDANT WILLIAM D. BAKER TO RESPOND TO PLAINTIFF'S CONSOLIDATED AMENDED COMPLAINT

19 WHEREAS, on June 29, 2005, Plaintiffs filed their Consolidated Amended Complaint ("CAC") in this matter;

22 WHEREAS, Plaintiffs and Defendants entered into a briefing schedule such that Defendants' motions to dismiss, motions to strike or other responsive pleadings must be filed and served by August 29, 2005;

25 WHEREAS, Defendant William D. Baker is now separately represented by Orrick, Herrington & Sutcliffe LLP in this action; and

27 WHEREAS, because Mr. Baker is now represented by separate counsel in this action, counsel for Mr. Baker has requested a brief extension of time to file a motion to dismiss, motion

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STIPULATION AND [PROPOSED] ORDER EXTENDING TIME FOR DEFENDANT WILLIAM D. BAKER TO RESPOND TO PLAINTIFF'S CONSOLIDATED AMENDED COMPLAINT - CASE NO.: C 04-3364 RMW

1 to strike or other responsive pleading to the CAC, and counsel for Plaintiff has agreed to such
2 extension.

3 THEREFORE, it is hereby STIPULATED AND AGREED that Defendant Baker shall file
4 and serve his motion to dismiss, motion to strike or other responsive pleading to the CAC on or
5 before September 6, 2005.

6 Respectfully submitted,

7 Dated: August 25, 2005

8 ORRICK, HERRINGTON & SUTCLIFFE, LLP

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10 By _____ /s/
11 SUSAN D. RESLEY
Attorneys for Defendant
WILLIAM D. BAKER

12 Dated: August 25, 2005

13 BRAUN LAW GROUP, P.C.

14
15 By _____ /s/
16 MICHAEL D. BRAUN
Liaison Counsel for Lead Plaintiffs

17 Dated: August 25, 2005

18 SCHATZ & NOBEL, P.C.

19
20 By _____ /s/
21 ANDREW M. SCHATZ
Lead Counsel for Lead Plaintiffs

22 IT IS SO ORDERED.

23 Dated: 10/6/05

24 /S/ RONALD M. WHYTE

25 The Honorable Ronald M. Whyte
United States District Judge